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12 United States of America  
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15 IN THE UNITED STATES DISTRICT COURT  
16  
17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,  
19 Plaintiff,  
20 v.  
21 JOSE MANUEL CHAVEZ ZEPEDA, and  
22 DENIS ZACARIAS PONCE CASTILLO  
23 Defendants.

24 CASE NO. 2:22-CR-0064-JAM  
25 STIPULATION REGARDING EXCLUDABLE  
26 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
27 ORDER  
28  
29 DATE: April 19, 2022  
30 TIME: 9:30 a.m.  
31 COURT: Hon. John A. Mendez

32  
33 STIPULATION

34 1. By previous order, this matter was set for status on April 19, 2022.  
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36 2. By this stipulation, defendants now move to continue the status conference until May 24,  
37 2022, at 9:30 a.m., and to exclude time between April 19, 2022, and May 24, 2022, under Local Code  
38 T4.  
39  
40 3. The parties agree and stipulate, and request that the Court find the following:  
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42 a) The government has represented that the discovery associated with this case  
43 includes more than 2,400 pages of investigative reports, photographs, phone toll records, and  
44 other materials. All of this discovery has been produced directly to counsel. In addition, the  
45 government has made available for review more than 2,900 pages of additional materials, as well  
46 as video and audio recordings. The government is willing to produce this material directly to  
47 counsel subject to an appropriate protective order, which the parties are discussing.

b) Counsel for defendants desire additional time to review the discovery, to negotiate the terms of a protective order with the government, to review the charges and potential responses with their clients, to conduct factual investigation and legal research, and to otherwise prepare for trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 19, 2022 to May 24, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

## IT IS SO STIPULATED.

Dated: April 15, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ DAVID W. SPENCER

DAVID W. SPENCER

**Assistant United States Attorney**

1 Dated: April 15, 2022

/s/ Clemente Jimenez

2 Clemente Jimenez  
3 Counsel for Defendant  
4 JOSE MANUEL CHAVEZ ZEPEDA

5 Dated: April 15, 2022

/s/ Etan Zaitsu

6 Etan Zaitsu  
7 Counsel for Defendant  
8 DENIS ZACARIAS PONCE  
9 CASTILLO

10 **ORDER**

11 IT IS SO FOUND AND ORDERED this 15<sup>th</sup> day of April, 2022.

12 /s/ John A. Mendez

13 THE HONORABLE JOHN A. MENDEZ  
14 UNITED STATES DISTRICT COURT JUDGE